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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LAWRENCE "POPPY" LIVERS,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, a/k/a the NCAA, et al.

Defendants.

Civil Action No. 2:17-cv-04271-MMB

**MOTION TO DISMISS AMENDED
COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), defendants National Collegiate Athletic Association and Villanova University hereby respectfully move this Court to dismiss the above-captioned action for lack of standing and for failure to state a claim upon which relief may be granted, for the reasons set forth in the accompanying memorandum in support of this motion.

Pursuant to E.D. Pa. Local R. Civ. Proc. 7.1(f), defendants request oral argument on this motion.

Dated: June 13, 2017

Respectfully submitted

s/ Steven B. Katz.

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2018, the foregoing document was served on counsel by filing via the CM/ECF system, which will send an email notice to registered parties.

s/ Steven B. Katz.

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